

## REMARKS

### A. Front Page of Office Action

The cover page of the November 20, 2002 office action indicates that claims 1-24 are pending in the application and claims 1-24 are rejected.

The applicants agrees that the front page summary of the office action reflects the contents of the office action.

### B. Summary and Response to Items Enumerated in the Office Action

In page 2 lines 6-9 the examiner rejects claim 23 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter.

In reply, the applicant respectfully submits that claim 23 has been amended to recite the claimed feature. Withdrawal of the 35 USC 112, second paragraph is respectfully requested.

On page 2 line 18 through page 5 line 7, the examiner further rejects claims 1-24 under 35 USC 103(a) as being unpatentable over Plantz et al. (US No. 6,088,702 hereinafter Plantz) in view of Hager et al. (US 5,377,355 hereinafter Hager). In support of the rejections, the examiner states that:

Plantz et al. teaches to a method and system for permitting coordinated publishing, assembly and administration of texts by an unlimited number of authors or editors, comprising:

As per **claims 1, 11 and 20-22**,

- receiving manuscript data defining a manuscript comprising at least one of text data, audio data, and video data (column 7, lines 37-43, 58-63; column 8, lines 20-27; column 9, lines 24-31);

- assigning a unique identification to said manuscript data (column 8, lines 59-67);

- prompting a potential reviewer for agreement to review said manuscript (column 8, lines 20-30);

- storing agreement data received from said potential reviewer (column 8, lines 20-30, 59-67; column 10, lines 1-13).

Plantz et al. does not specifically teach storing a decision whether to publish.

Hager et al. teach a method and system for automatically initiating additional procedures with regard to a document, wherein evaluators vote to publish the document, and a decision whether to publish is stored (Abstract; column 2, lines 39-53; column 7, lines 20-21; column 7, line 48 through column 8, line 1; column 8, lines 44-51; column 9, lines 48-57).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Plantz et al. to include that the decision whether to publish can be stored because it would enhance the performance of the system thereby making it more attractive to customers.

As per **claims 2-3 and 12-13**, Plantz et al. teach said method and system, comprising:

- transmitting a signal prompting an additional potential reviewer for agreement to review said manuscript based on stored agreement data from at least one potential reviewer

(column 8, lines 59-67).

As per **claims 4-5 and 14-15**, Plantz et al. teach said method and system, comprising:

- storing data indicating an identification of an associate editor for said manuscript in association with said manuscript data (column 10, lines 8-36);

- storing at least one date on which said associate editor assigns a potential reviewer (column 10, lines 12-14).

As per **claims 6 and 16**, Plantz et al. teach said method and system, comprising:

- storing a data on which at least one of receiving said manuscript, prompting a potential reviewer, and receiving agreement data occurs (column 10, lines 12-14, 46-62).

As per **claims 7-8 and 17-18**, Plantz et al. teach said method and system, comprising:

- authorizing transmission of said manuscript to at least one of associate editors, potential reviewers and reviewers of said manuscript (column 10, lines 46-62).

As per **claims 9-10 and 19**, Plantz et al. teach said method and system, wherein said authorizing transmission comprises storing, in association with said unique identification, an identification of an associate editor and a reviewer (column 10, lines 30-62).

As per **claim 23**, Plantz et al. teach all the limitations of **claim 23**, including tracking said manuscript and storing said tracking information in a database (column 6, line 66 through column 7, line 2; column 11, lines 14-21, 31-33), except for sending a message upon completing a status check that includes whether a set of anticipated events occurred in a predetermined period of time.

Hager et al. teach said method and system wherein it is determined whether evaluator votes have been received with regard to a particular document, and a prompting message may be utilized to induce an evaluator to submit a vote for the document if the evaluator has not done so within a preselected period of time (column 9, lines 27-37).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Plantz et al. to include sending a message upon completing a status check that includes whether a set of anticipated events occurred in a predetermined period of time because it would enhance the performance of the system, thereby making it more attractive to the customers.

As per **claim 24**, Hager et al. teach said method and system wherein said final decision for publishing is made by a majority tallying of the individual reviews, if all reviewers indicate said manuscript should be published, said manuscript is automatically sent to a printing queue or printing facility (Abstract; column 2, lines 39-53; column 7, lines 20-21; column 7, line 48 through column 8, line 1; column 8, lines 44-51; column 9, lines 48-57).

With respect to independent claims 1, 11 and 20, the applicant respectfully submits that Plantz does not disclose or suggest at least the feature of a computer implemented process “transmitting a signal, if said potential reviewer disagrees to review, prompting an additional potential reviewer for agreement to review said manuscript,” and combinations thereof as claimed in claims 1, 11 and 20. To the contrary, Plantz merely discloses a method that “facilitate and expedite the process of book and text editing, wherein more than one author and more than one editor participate and contribute.” See column 5, lines 14-17. That is, Plantz allows collaboration between and among individuals and facilitates a jointly authored and edited project

after the project publication decision has been made.

Further the present application discloses a computer implemented process used to make a publication decision on a manuscript. The computer implemented process is implemented by a networking environment coupled with a set of information tracking, decision correlating, and storing operations. As a result, a final publication approval or denial decision can be reached. The present application discloses that one or more reviewers and the author of the manuscript can efficiently review the decision and related information on line.

Particularly, Plantz discloses a method that allows “essentially simultaneous viewing of an entire in-process document, which easily can be downloaded for publication in a variety of formats” (see column 5 lines 19-21). In other words, Plantz emphasizes editing text and conforming the publication into a particular format ready for publication. The present invention, however, focuses on a reviewing and decision-making process of whether to publish a manuscript based on a particular set of criteria. In the present invention, the manuscript is reviewed whereas Plantz teaches editing.

With respect to Hager patent, Hager does not disclose the feature “transmitting a signal, if said potential reviewer disagrees to review, prompting an additional potential reviewer for agreement to review said manuscript” either. In Hager, ‘a selected document ... is identified and evaluations of the selected document are automatically solicited from a selected group of evaluators enrolled within the data processing system.’ (See column 2, lines 31-35) Every enrolled evaluator does not possess the capacity to disagree to review the document.

Thus, applicant respectfully submit that even if combined, Plantz, and Hager would not result in at least the feature of “transmitting a signal, if said potential reviewer disagrees to review, prompting an additional potential reviewer for agreement to review said manuscript” and combinations thereof as claimed in claims 1, 11 and 20.

Further, applicants respectfully submit that Plantz and Hager do not teach or suggest any modification to its disclosure that would result in at least a feature of “transmitting a signal, if said potential reviewer disagrees to review, prompting an additional potential reviewer for agreement to review said manuscript” and combinations thereof as recited in claims 1, 11 and 20.

For at least the reasons set forth above, applicant respectfully submits that claims 1, 11

and 20 define patentable subject matter. Dependant claims 2-10, 12-19, and 21-24 also define patentable subject matter with respect to claims 1, 11, and 20 from which they depend as well as their additionally recited features. Thus, withdrawal of the rejections of claims 1-24 under 35 USC 103 is respectfully requested.

The examiner states prior art made of record and not relied upon is considered pertinent to applicant's disclosure and communication information in the conclusion.

In reply, applicant notes this.



31518

PATENT TRADEMARK OFFICE

Date

2/20/03

Respectively Submitted,

Richard A. Neifeld, Ph.D.  
Registration No. 35,299  
Ruay Lian Ho  
Registration No. 48,110

Printed: August 29, 2002 (2:40pm)

Y:\Clients\Journal Press\EJOU0010UUS\Drafts\SecondAmendment\_021120.wpd

## **APPENDIX**

### **Amended claims in clean form.**

1.(Twice Amended) A computer implemented manuscript review and determination process, comprising:

receiving manuscript data defining a manuscript including at least one of text data, audio data, and video data;

prompting a potential reviewer for agreement to review said manuscript;

storing agreement data received from said potential reviewer, said agreement data including at least one of agreement to review and disagreement to review said manuscript;

transmitting a signal, if said potential reviewer disagrees to review said manuscript, prompting an additional potential reviewer for agreement to review said manuscript; and storing a decision whether to publish.

2. (Once Amended) The computer implemented method according to claim 1, further comprising transmitting a signal prompting an additional potential reviewer for agreement to review said manuscript based on stored agreement data from at least one potential reviewer.

3. (Canceled)

4. (Once Amended) The computer implemented method according to claim 1, further comprising storing data indicating an identification of an associate editor for said manuscript in association with said manuscript data.

5. (Once Amended) The computer implemented method according to claim 1, further comprising storing at least one date on which said associate editor performs at least one of assigning a potential reviewer and entering manuscript approval status data.

6. (Once Amended) The computer implemented method according to claim 1, further comprising storing a date on which at least one of receiving said manuscript, prompting a potential reviewer, and receiving agreement data occurs.

7. (Once Amended) The computer implemented method according to claim 1, further comprising transmitting a manuscript review instruction to reviewer.

8. (Once Amended) The computer implemented method according to claim 1, further comprising authorizing transmission of said manuscript to at least one of associate editors of

said manuscript, potential reviewers of said manuscript, and reviewers of said manuscript.

9. (Once Amended) The computer implemented method according to claim 8, wherein said authorizing transmission comprises storing, in association with said unique identification, at least one of an identification of an associate editor, a potential reviewer, and a reviewer.

10. (Once Amended) The computer implemented method according to claim 8, wherein said authorizing transmission comprises storing, in association with said unique identification, an identification of an associate editor and a reviewer.

11. (Twice Amended) A computer implemented manuscript review and determination system, comprising:

- means for receiving manuscript data defining a manuscript including at least one of text data, audio data, and video data;

- means for prompting a potential reviewer for agreement to review said manuscript;

- means for storing agreement data received from said potential reviewer, said agreement data including at least one of agreement to review and disagreement to review said manuscript;

- means for transmitting a signal, if said potential reviewer disagrees to review said manuscript, prompting an additional potential reviewer for agreement to review said manuscript; and

- means for storing a decision whether to publish.

12. (Once Amended) The computer implemented system according to claim 11, further comprising means for transmitting a signal prompting an additional potential reviewer for agreement to review said manuscript.

13. (Canceled)

14. (Once Amended) The computer implemented system according to claim 11, further comprising means for storing data indicating an identification of an associate editor for said manuscript in association with said manuscript data.

15. (Once Amended) The computer implemented system according to claim 11, further comprising means for storing at least one date on which said associate editor preforms at least one of assigning a potential reviewer and entering manuscript approval status data.

16. (Once Amended) The computer implemented system according to claim 11, further

comprising means for storing a date on which at least one of receiving said manuscript, prompting a potential reviewer, and receiving agreement data occurs.

17. (Once Amended) The computer implemented system according to claim 11, further comprising means for transmitting a manuscript review instruction to a reviewer.

18. (Once Amended) The computer implemented system according to claim 11, further comprising means for authorizing transmission of said manuscript to at least one of associate editors of said manuscript, potential reviewers of said manuscript, and reviewers of said manuscript.

19. (Once Amended) The computer implemented system according to claim 18, wherein means for authorizing comprises means for storing, in association with said unique identification, at least one of an identification of an associate editor, a potential reviewer, and a reviewer.

20. (Twice Amended) A computer program product embodied on a computer readable medium for implementing a manuscript review and determination process on a computer, said program comprising:

receiving manuscript data defining a manuscript including at least one of text data, audio data, and video data;

prompting a potential reviewer for agreement to review said manuscript;

storing agreement data received from said potential reviewer, said agreement data including at least one of agreement to review and disagreement to review said manuscript;

transmitting a signal, if said potential reviewer disagrees to review said manuscript, prompting an additional potential reviewer for agreement to review said manuscript; and

storing a decision whether to publish.

21. The computer implemented process according to claim 1, wherein the decision for publishing is a final decision and the manuscript can be published either in print, or in electronic form.

22. The computer implemented process according to claim 1, further comprising:

correlating the decision for publishing about said manuscript from different potential reviewers and achieving a final decision; and

storing the final decision for publishing in a database.

23. (Once Amended) The computer implemented process according to claim 1, further comprising:

tracking said manuscript and storing said tracking information in a database; and

sending a message upon completing a status check that includes whether a set of anticipated events, including receipt of a number of reviewers reviews and editors actions, occurred in a predetermined period of time.

24. The computer implemented process according to claim 22, wherein said final decision for publishing is made by a majority tallying of the individual reviews, if all reviewers indicate said manuscript should be published, said manuscript is automatically sent to a printing queue or printing facility.